

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	AFFIRMATION IN
	:	SUPPORT OF AN
- v. -	:	EXTENSION OF THE
	:	<u>ORDER OF CONTINUANCE</u>
HEIDI HONG PIAO,	:	
a/k/a "Heidi Park,"	:	15 Mag. 3562
	:	
Defendant.	:	

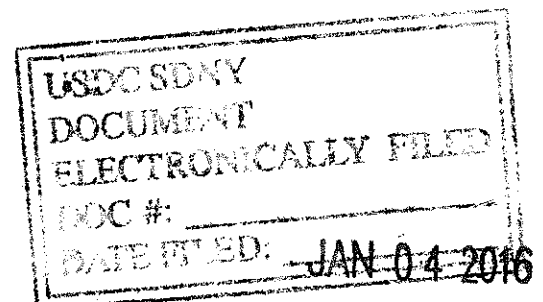
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STATE OF NEW YORK)	
COUNTY OF NEW YORK	:	ss.:
SOUTHERN DISTRICT OF NEW YORK)	

DANIEL C. RICHENTHAL, pursuant to Title 28, United States Code, Section 1746, hereby declares under penalty of perjury:

1. I am an Assistant United States Attorney in the Office of Preet Bharara, United States Attorney for the Southern District of New York. I submit this affirmation in support of an application for an order of continuance of the time within which an indictment or information would otherwise have to be filed, pursuant to Title 18, United States Code, Section 3161(h)(7)(A).

2. HEIDI HONG PIAO, a/k/a "Heidi Park," the defendant, was arrested on October 6, 2015 and charged with violating Title 18, United States Code, Sections 371, 666, 1956 and 2, in a complaint dated October 5, 2015. The defendant was presented before Magistrate Judge James C. Francis on October 6, 2015, at which time



the defendant, represented by Michael B. Himmel, Esq., was ordered detained on consent, without prejudice.¹

3. At the initial presentment on October 6, 2015, counsel for the defendant consented to a waiver of his client's right pursuant to Rule 5 of the Federal Rules of Criminal Procedure to a preliminary hearing within 14 days of the initial appearance. Accordingly, under the Speedy Trial Act, the Government had until November 3, 2015 within which to file an indictment or information. On or about November 3, 2015, the Government's application to extend the time in which to file an indictment or information by 30 days was granted. Accordingly, the Government had until December 3, 2015 to file an indictment or information. On or about December 3, 2015, the Government's application to extend the time in which to file an indictment or information by 30 days was granted. Accordingly, the Government presently has until January 4, 2016 to file an indictment or information.

4. Defense counsel and I have had discussions regarding

1 The defendant was subsequently ordered released on bail on the following principal conditions: a \$1 million personal recognizance bond to be co-signed by three financially responsible persons and secured by \$500,000 in cash or property; surrender of all travel documents and no new applications for travel documents; travel restricted to the Southern and Eastern Districts of New York (and the District of New Jersey for visits with counsel); and home detention with GPS monitoring.

a possible disposition of this case. The discussions have not been completed and we plan to continue, but do not anticipate a resolution before the deadline under the Speedy Trial Act expires on January 4, 2016.

5. Therefore, the Government is requesting a 30-day continuance until February 3, 2016 to continue the foregoing discussions and reach a potential disposition. Counsel for the defendant has consented to this request on behalf of their client. This request has also been approved by Andrew Dember, Deputy Chief of the Criminal Division.

6. For the reasons stated above, the ends of justice served by the granting of the requested continuance outweigh the best interests of the public and defendant in a speedy trial.

I declare under penalty of perjury that the foregoing is true and correct, pursuant to 28 U.S.C. § 1746.

Dated: New York, New York
December 31, 2015



DANIEL C. RICHENTHAL
Assistant United States Attorney